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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/912,296	07/26/2001	Shun-Ping Wang	WANG3034/EM/7046	4976

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EXAMINER

KNOLL, CLIFFORD H

ART UNIT	PAPER NUMBER
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2112

DATE MAILED: 01/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/912,296

Applicant(s)

WANG, SHUN-PING

Examiner

Clifford H Knoll

Art Unit

2112

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 2, and 5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, "the other remote one" (line 6) and "said remote other device" (line 11) lack antecedent basis. The "said units" (line 11) which are received lacks clear antecedent basis because their relationship to the "said units" (line 8) which are transmitted has not been positively recited. The "said device" (line 13) lacks clear antecedent basis, because its relationship to "one of said devices" (line 12) cannot be clearly established.

In claim 2, the "input instructions provided..." is unclear because it is not clear what relationship is intended to the transmitting.

In claim 5, "said device" (line 4) lacks antecedent basis.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Green (US 2003/0099301).

Regarding claim 1, Green discloses data transmission software (e.g., paragraph [0018]) and a data transmission interface (e.g., paragraph [0017]) where in transmitting the data the software divides the data into units (e.g., paragraph [0014]), said other device transmits the units through a wireless communication (e.g., paragraph [0024]), in receiving data the software receives the units, which are sent from the remote other device and sent to one of said devices through the said signal line and said data transmission software recovers original data (e.g., paragraph [0016]). While Green does not expressly mention that packets are regrouped; this is understood as an inherent feature of packet transmission—to recover information received as packets necessarily entails regrouping.

Regarding claim 2, Green also discloses input instruction provided by said data transmission software by keying on one device for setting one device as a master and said other device as a slave (e.g., paragraph [0020]), said data transmission software divides data into a plurality of units each having a predetermined size individually transmits said units to said slave through said signal line and utilize all channels belonging to said master and said slave for transmitting said units through said wireless communication (e.g., paragraph [0017], "104a-104n").

Regarding claim 3, Green also discloses where the data transmission interfaced is a universal serial bus (e.g., paragraph [0013]).

Regarding claim 4, Green also discloses a unique ID associated with one device is assigned to each unit said master sends each unit to said corresponding slave based on said ID, sent to the master for regrouping and the data transmission software in said master assembles the units to recover the original data (e.g., paragraph [0020]).

Regarding claim 5, Green also discloses inputting instructions by keying on one device for setting one device as a master and said other device as a slave (e.g., paragraph [0020]), determining whether a division of data is necessary (e.g., paragraph [0014]), if the result is positive dividing data into a plurality of units and assigning a unique identification associated with one device to each unit and transmitting said units to said device through said signal line and transmitting said units by said device (e.g., paragraph [0021]).

Regarding claim 6, Green also discloses if step (b) is negative, the master transmits data (e.g., paragraph [0014], "received from the peripheral devices").

Regarding claim 7, Green also discloses receiving associated units as determined by said data transmission software, transmitting the units to said device set as said unit through said signal line and regrouping said units by said data transmission software in said master to recover said original record of data (e.g., paragraph [0018], "data may be written into the USB endpoints of the block 100. The block will notify the host 102").

Regarding claim 8, Green also discloses the device is a mobile phone (e.g., paragraph [0003]), and data transmitted is divided into a plurality of units each having a predetermined size which is no more than a maximum size defined by an existing mobile phone communication protocol (e.g., paragraph [0013], "meet design criteria of a particular implementation", "formatted into packets").

Conclusion


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Mizutani (US 6603744) and Kikinis (US 6625126) both disclose unit transmission by wireless communication after transmitting data on a signal line.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clifford H Knoll whose telephone number is 703-305-8656. The examiner can normally be reached on M-F 0630-1500.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark H Rinehart can be reached on 703-305-4815. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-2100.

chk


XUAN M. THAI
PRIMARY EXAMINER

TC2100